IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELALTE SIDE

WRIT PETITION NO.2755 OF 2005

Santosh Dhondiba Kadam. ...Petitioner.
Vs.
Pushpa R. Pawar & Ors. ...Respondents.
....
Mr. U. B. Nigot for the Petitioner.
Mr. G. S. Hegde for the Respondents.
.....

CORAM : DR.D.Y.CHANDRACHUD, J.

October 21, 2005.

P.C.:

Perused the reasoned order of the Motor Accident Claim's Tribunal, Pune dated 31st January 2005, a copy of which has been produced on the record by Counsel appearing on behalf of the Respondents. While allowing the claim on account of no fault liability, the MACT has noted that Form-AA submitted by the Police clearly showed the owner as Sidharth Dhondiba Kadam and the driver as Santosh Dhondiba Kadam. The accident took place on 5th March 2004. On 10th March 2004, an Insurance Policy was obtained effective until 9th March 2005 in the name of the owner. This would clearly show that the ownership of the vehicle on the date of the accident was of the First Petitioner. The certificate at

Exh.E which is relied upon on behalf of the Petitioners is to the effect that on 19th June 2004, the vehicle stood in the name of a third party. This would at the highest show that there was a transfer after the date of the accident. In these circumstances, the claim on account of no fault liability was correctly allowed by the Tribunal. There is no merit in the petition which is accordingly dismissed.

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